

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUIS MERCEDES, *on behalf of himself and all
others similarly situated,*

Plaintiff,

– against –

SIMPLY FOOTWEAR UTAH, LLC, *doing business
as simplybirkenstock.com,*

Defendant.

ORDER

23-cv-07707 (ER)

Ramos, D.J.:

Luis Mercedes filed this action on August 30, 2023. Doc. 1. On October 25, 2023, Mercedes filed an affidavit of service indicating that defendant Simply Footwear Utah had been served. Doc. 5. Simply Footwear has not answered or appeared. On January 8, 2024, Mercedes obtained a certificate of default from the Clerk of Court. Doc. 8. There has been no subsequent activity in the case.

Mercedes is directed to submit a status letter by May 28, 2024. Failure to do so may result in dismissal for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

It is SO ORDERED.

Dated: May 20, 2024
New York, New York



EDGARDO RAMOS, U.S.D.J.